

5. When damages are not ascertained or agreed upon, they shall be ascertained in accordance with the provision of sections 1363 to 1371a, both inclusive. Chapter 54, Wisconsin Statutes of 1898 entitled "Town and Village Drains," and acts amendatory thereof so far as applicable, and not inconsistent with this section, shall apply to all proceedings hereunder.

6. Upon receiving thirty days' notice in writing any railway company, street car company or interurban railway company, across whose right of way any drain or ditch herein provided is laid out, shall proceed to construct such ditch or drain across its right of way. Upon its failure to commence the construction of such ditch or drain across its right of way for a period of thirty days, the supervisors of the town, their contractors, agents and employees may enter upon such right of way and construct the necessary ditch or drain.

7. No such notice to proceed with the construction shall be served upon any such company from the first day of December to the succeeding first day of April.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 7, 1909.

No. 718, A.]

[Published June 8, 1909.

## CHAPTER 305.

AN ACT to amend section 735a of the statutes, relating to coroners in counties having a population of over one hundred and fifty thousand, the appointment of deputies and assistants and their powers, duties and compensation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section 735a of the statutes is amended to read:

Section 735a. The coroner of every county having a population of over one hundred and fifty thousand \* \* \* his deputy \* \* \* and assistants, shall be compensated for the performance of all their official duties and in lieu of all other compensation, salaries to be fixed by the county board of supervisors of such counties respectively, as herein provided.

\* \* \*

*The coroner of any such county may appoint a deputy coroner who shall assist the coroner in the performance of his duties as he may direct, and who, under the direction of the coroner, may exercise all of the powers and perform all of the duties of the coroner, and such other assistants to the coroner as the said*

*county board may authorize. The county board of any such county shall at any meeting of said board within sixty days after this act goes into effect, and thereafter at its annual meeting next preceding the general election of county officers, prescribe the number of assistants to the coroner that may be so appointed and fix the salaries of the coroner, the deputy coroner and such assistants, and when so prescribed and fixed the number of such assistants so prescribed and such salaries shall be the number of assistants that may be so appointed and the salaries of such coroner, deputy coroner and assistants during the present term of such coroner and until changed for the then succeeding term at an annual meeting of the county board next preceding such general election. Such salaries shall be paid monthly out of the county treasury of such county in the same manner and at such times as provided for the payment of the salaries of other county officers. Such deputy coroner and assistants to the coroner shall have all the powers of a constable or sheriff to serve subpoenas requiring the attendance of witnesses at any inquest to be held by the coroner or his deputy or other orders or writs.*

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 7, 1909.

No. 57, S.]

[Published June 10, 1909.

## CHAPTER 306.

AN ACT to amend section 390 of the statutes, as amended by section 1 of chapter 170, laws of 1899, section 1 of chapter 322, laws of 1901, section 1 of chapter 344, laws of 1903, and section 1 of chapter 320 of the laws of 1905, and to amend section 1 of chapter 14, laws of 1905, special session, as amended by section 2 of chapter 428, laws of 1907, and to amend section 2 of chapter 320 of the laws of 1905, as amended by section 3, chapter 428, laws of 1907, and to repeal section 391n of the statutes (being section 4 of chapter 428, laws of 1907), and to amend section 1494j of the statutes, and to create section 1494—12m of the statutes, relating to the university, and making an appropriation therefor.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. Section 390 of the statutes, as amended by section 1 of chapter 170, laws of 1899, section 1 of chapter 322, laws of 1901, section 1 of chapter 344, laws of 1903, and section